

## Message Text

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E.O. 11652:N/A

TAGS:SHUM PFOR SU

SUBJECT:HUMAN RIGHTS REPORT FOR CONGRESS

REF: STATE 22819

I. UNLESS YOU PERCEIVE OBJECTION, PLEASE PASS FOLLOWING TO  
GOVERNMENT PER REFTEL.

THE HUMAN RIGHTS SITUATION IN SUDAN IMPROVED MARKEDLY  
DURING 1977 AS A RESULT OF PRESIDENT NIMEIRI'S INITIA-  
TIVE TO RECONCILE DIFFICULTIES WITH ALL SUDANESE DISSIDENT  
ELEMENTS. FOLLOWING THE CONCLUSION OF AN AGREEMENT WITH  
HIS PRINCIPAL RIVAL, THE LEADER OF THE MAHDISTS, NIMEIRI  
RELEASED OVER 1200 POLITICAL PRISONERS AND GRANTED AMNESTY  
TO ALL OPPONENTS OF HIS REGIME IMPRISONED SINCE HE CAME TO  
POWER IN 1969. SUDAN IS NOW ATTEMPTING TO REINSTITUTE  
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LEGAL GUARANTEES OF CIVIL AND POLITICAL RIGHTS BY REVOKING  
EMERGENCY POWERS AND AMENDING THE CONSTITUTION.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUD-  
ING FREEDOM FROM:

A. TORTURE

THE USE OF TORTURE BY THE SUDANESE GOVERNMENT APPEARS TO BE EXTREMELY RARE. THERE HAVE BEEN NO PUBLIC ALLEGATIONS IN RECENT YEARS OF TORTURE BEING USED BY THE GOVERNMENT.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

WHILE CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT IS NOT PRACTICED IN SUDAN, CONDITIONS IN SUDANESE PRISONS REFLECT THE POVERTY OF THE COUNTRY.

C.. ARBITRARY ARREST OR IMPRISONMENT

IN 1975 THE PEOPLE'S ASSEMBLY AMENDED THE SUDANESE CONSTITUTION TO PERMIT THE PRESIDENT TO TAKE ANY ACTION TO PROTECT THE CONSTITUTION, THE COUNTRY AND "THE MAY 1969 REVOLUTION." THE PRESIDENT THEREFORE HAS THE POWER OF ARBITRARY ARREST AND IMPRISONMENT, BUT HAS USED IT SPARINGLY. IN THE SUMMER OF 1977 PRESIDENT NIMEIRI DECLARED A GENERAL AMNESTY AND RELEASED OVER 1200 PRISONERS DETAINED FOR POLITICALLY RELATED CRIMES. BY THIS MEASURE VIRTUALLY ALL SUCH PRISONERS BEING HELD IN SUDAN HAVE BEEN RELEASED.

D. DENIAL OF FAIR PUBLIC TRIAL  
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OTHER THAN IN PERIODS OF POLITICAL CRISIS, FAIR PUBLIC TRIALS ARE THE RULE. IN THE AFTERMATH OF THE ABORTIVE COUP IN 1976, DURING WHICH SEVERAL HUNDRED PROMINENT SUDANESE WERE KILLED WITHOUT PROVOCATION, 457 ALLEGED PERPETRATORS WERE NONETHELESS AFFORDED A PUBLIC TRIAL BY A SECURITY TRIBUNAL. SOME 300 WERE SUBSEQUENTLY CONVICTED AND REPORTEDLY EXECUTED.

E. INVASION OF THE HOME

THERE ARE CONSTITUTIONAL GUARANTEES AGAINST INVASION OF THE HOME AND THESE ARE NORMALLY RESPECTED.

2. GOVERNMENT POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION

THE SUDANESE GOVERNMENT IS ACTIVELY PROMOTING THE DEVELOPMENT OF ITS VAST AGRICULTURAL POTENTIAL THROUGH PROGRAMS DESIGNED TO BENEFIT NOT ONLY THE URBAN POOR, WHO ARE READILY ACCESSIBLE, BUT ALSO THE

MORE INACCESSIBLE RURAL POOR. IN ADDITION, SUDAN HAS DEVOTED SIGNIFICANT RESOURCES TO HOUSING, HEALTH CARE AND EDUCATION.

TWO MAJOR TRADE UNION FEDERATIONS IN SUDAN, ONE FOR BLUE-COLLAR AND THE OTHER FOR PROFESSIONAL (LARGELY GOVERNMENT) WORKERS, BOTH MAKE A GENUINE EFFORT TO REPRESENT THEIR MEMBER'S INTERESTS WITHIN BROAD GUIDE-LINES SET BY GOVERNMENT AND PARTY.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION, LIMITED OFFICIAL USE

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AND ASSEMBLY

IN SEPTEMBER 1976 THE SUDANESE GOVERNMENT SUSPENDED ARTICLES OF THE CONSTITUTION RELATING TO FREEDOM OF OPINION. POLITICAL FREEDOMS SUCH AS ASSEMBLY AND FREE SPEECH CAN BE EXERCISED ONLY WITHIN CERTAIN LIMITS. THERE IS RELIGIOUS FREEDOM. THE PRESS IS CONTROLLED BY THE GOVERNMENT; IT IS PERMITTED TO COMMENT CRITICALLY ON DOMESTIC ISSUES. PRIVATE AND PUBLIC COMMITTEES HAVE BEEN ORGANIZED TO ADVISE THE GOVERNMENT ON MEASURES TO REINSTITUTE LEGAL SAFEGUARDS.

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION

CONSTITUTIONAL GUARANTEES OF FREEDOM OF MOVEMENT WITHIN THE COUNTRY WERE FORMALLY REPEALED BY THE 1975 AMENDMENTS, BUT THERE ARE NO SUCH RESTRICTIONS CURRENTLY IN FORCE. THERE IS NO POLICY OF RESTRICTION OF FOREIGN TRAVEL OR EMIGRATION, ALTHOUGH EXIT PERMITS ARE REQUIRED.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS  
THE SUDANESE SOCIALIST UNION (SSU) IS THE ONLY LEGAL POLITICAL PARTY IN THE COUNTRY. THEREFORE THERE IS LIMITED FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS. INDEPENDENTS MAY CAMPAIGN FOR OFFICE UPON APPROVAL OF THE SSU. INDEPENDENT CANDIDATES HAVE BEEN ELECTED TO THE PEOPLES' ASSEMBLY. CANDIDATES ARE ELECTED BY UNIVERSAL ADULT SUFFRAGE. POLITICIANS ASSOCIATED WITH PARTIES OR MOVEMENTS PREDATING THE CURRENT GOVERNMENT REMAIN AT LIBERTY TO EXPRESS THEIR VIEWS IN PRIVATE, BUT THEY MAY NOT ATTEMPT TO ORGANIZE IN OPPOSITION.

4. GOVERNMENT ATTITUDES AND RECORD REGARDING INTER-LIMITED OFFICIAL USE

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NATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED  
VIOLATIONS OF HUMAN RIGHTS

THE SUDANESE GOVERNMENT IS SOMEWHAT SENSITIVE TO THE HUMAN  
RIGHTS ISSUE. AMNESTY INTERNATIONAL REPORTS THAT IT  
PLANNED TO ACCEPT SUDAN'S 1976 INVITATION TO  
SEND A MISSION TO DISCUSS HUMAN RIGHTS PROBLEMS, BUT  
THAT SUBSEQUENT NEGOTIATIONS ON DETAILED ARRANGEMENTS  
FOR THE MISSION HAVE BEEN INCONCLUSIVE. VANCE

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